GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

School Education - Finalization of seniority list in the cadre of Joint Director/Regional Joint Director of School Education – Orders – Issued.

SCHOOL EDUCATION (SERVICES.I) DEPARTMENT

G.O.Ms.No:72 Dated:05.11.2021

Read the following:

1. From the Director of School Education, A.P. Lr.Rc.No.ESE02-11021/833/2019-EST1-CSE, dated 30.09.2021.
2. From the DSE, A.P., Lr., Rc.No. ESE02-11021/384/2019-EST 1-CSE, Dt. 02.10.2021 along with the representation of Sri Muvva Ramalingam, Joint Director, O/o Director of School Education, A.P.Amaravati, dated 06.09.2021.
3. From the Director of School Education, A.P., Lr.Rc.No.ESE02-11021/833/2019-EST1-CSE, dated 22.10.2021.

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ORDER:

The post of Joint Director/Regional Joint Director of School Education constitutes under category (2) of Class-I under Rule 2 of the Andhra Pradesh Educational Service Rules. Under Rule 3 of the said rules, the method of appointment for the post of Joint Director/Regional Joint Director of School Education is by promotion from the category of District Educational Officer, Deputy Director of Category-1 of Class-II, for which Government is the appointing authority.

2. The Director of School Education, A.P, in his letter 1st read above, while communicating the provisional seniority list of Joint Directors/Regional Joint Director of School Education, has requested the Government, to communicate the said list to all concerned officers with a request to file objections, if any, along with the documentary evidence to take further necessary action, as the Government is the competent authority in the matter.

3. Further, Government have requested him to call for the objections on the provisional seniority list in the cadre of JDs/RJDSEs, from the individuals and after examining the objections if any, furnish the final seniority list, along with his remarks, to the Government for approval.

4. Accordingly, the Director of School Education, A.P., vide proceedings, dt. 07.10.2021 has called for the objections from the individuals on the provisional seniority list in the cadre of JDs/RJDSEs, with a request to file their objections if any, ***within 15 days.*** The Director of School Education, A.P, in his further letter 3rd read above, has stated that, out of the 14 individuals, Sri M. Ramalingam, JD, has filed objection, vide his representation, dt. 21.10.2021 (Received by him on 22.10.2021 i.e., after the stipulated time is over) stating that his Additional Director promotion kept pending though he is also eligible for promotion as Additional Director, as per the court orders, during the interregnum period of DPCs, his case was ignored citing several reasons and delay in finalizing the enquiries and issue final orders, which are not attributed to him directly or indirectly. Sri M. Ramalingam, JD, has therefore, requested to consider his case and arrange to issue necessary revised orders showing his name at Serial No. 1 in the seniority list, instead of Sl.No. 8 and promote him as Additional Director from 2017-18, on par with his immediate junior in 2011-12 panel.

5. The Director of School Education, A.P, while forwarding the provisional seniority list along with the above objection petition, has therefore, requested to issue necessary orders on the final seniority list of Joint Directors/RJDSEs, by disposing of the said objection petition. The DSE, in his earlier letter in the reference 2nd read above, has forwarded the representation dated:06.09.2021 of Sri M. Ramalingam, JD, in the matter.

(P.T.O)

6. Government, after careful examination of the representation and objection petition of Sri M. Ramalingam, JD, as per Governing rules and duly taking into consideration of the remarks offered by the Director of School Education, have come to the following conclusion:-

(i) The DPC was conducted for the panel year 2011-12, for consideration of promotions to the post of JDs/RJDSEs on 22.11.2011. The DPC has observed that charges are pending against Sri M.Ramalingam, and hence, his name was not considered and accordingly, his juniors were promoted as Joint Directors in the panel year 2011-12.

(ii) During the DPC conducted for the panel year 2016-17, the DPC opined that he is unfit for promotion, as the individual is facing an ACB trap case which is pending before ACB Court, and two other disciplinary cases also pending against him and hence, his case was not considered for inclusion in the panel year 2016-17.

(iii) During the Review DPC held on 19.04.2017, for consideration of the name of the individual in the panel year 2011-12, the Committee after going through the ACRs, ACB trap case and other 3 disciplinary cases in which charges were pending against him as on the date of DPC i.e., 22.11.2011 and after making overall assessment of his service record and work done, the Committee has noted that, the individual is involved not only Trap case of Crime No. 12/RCT/ACB/VJA/2007 but also involved in 3 disciplinary cases in which charges are pending and served on him as on the date of DPC, and the DPC recommends that his name be included in the panel, but his promotion should be deferred in terms of G.O.Ms.No.424 , GAD, dt.25.05.1976 read with GOMs.No.257, GAD, dt.10.06.1999, until termination of the ACB case/disciplinary proceedings pending against him. Accordingly, the entire panel for the year 2011-12 is re-casted and issued orders, vide G.O.Ms.No.27, S.Edn.(Ser.I)Dept., dated 11.05.2017.

(iv) During the above Review DPC held on 19.04.2017 for consideration of the name of the individual in the panel year 2016-17, the Committee has observed that ACB Trap case and 5 disciplinary cases in which charges framed, are pending against him. Since charges are still pending and charge sheet has been filed in ACB trap case, the Committee opined that his case comes under para 5(b)(ii) of G.O.Ms.No.257, GAD, dt.10.06.1999, which states that *"an officer whose record is such that, he would not be promoted, irrespective of the allegations/charges, under enquiry, trail or investigation; and that supersession be recommended straightway on ground of his being unfit for promotion...."*. Since the promotional post involved discharge of higher duties and responsibility and Committee considered that he is unfit for promotion and accordingly recommended that his name be passed over for the panel year 2016-17.

(v) G.O.Ms.No. 257, GA (Ser.C) Dept., dt. 10.06.1999 stipulates that the officers categorized as under item (iii) of G.O.Ms.No. 424, GA (Ser.C) Dept., dt. 25.05.1976, only should be considered for adhoc promotion after completion of two years from the date of the DPC or Screening Committee Meeting in which their cases were considered for the first time. Accordingly, Sri M. Ramalingam case was considered for promotion as JD, on purely adhoc basis, in terms of the G.O.Ms.No. 257, GA (Ser.C) Dept., dt. 10.06.1999, and issued orders vide G.O.Rt.No.152, School Edn (Ser.I) Dept., dt. 30.06.2021, subject to final outcome of the C.C.No.11/2014 pending before the Court of Spl.Judge of SPE & ACB cases.

(Cont....)

(vi) As of now, (i) Criminal Case No.11/2014 is still pending before the Court of Spl.Judge of SPE & ACB cases, and not yet concluded and (ii) in another case, Articles of Charges were issued to the individual when he worked as D.E.O, Nellore, which is still pending.

(vii) The G.O.Ms.No. 257, GA (Ser.C) Dept., dt. 10.06.1999 stipulates that if the officer concerned is acquitted, in the criminal prosecution on the merits of the cases or is fully exonerated in the departmental proceedings, the adhoc promotion already made be confirmed and the promotion treated as a regular one from the date of the adhoc promotion with all attendant benefits. In case the officer could have normally got his regular promotion from a date prior to the date of his adhoc promotion with reference to his placement in the DPC proceedings and the actual date of promotion of the person ranked immediately junior to him by the DPC, he would also be allowed his due seniority and benefit of notional promotion.

7. Keeping in view of the above, the request of Sri M. Ramalingam, JD, (i) to promote him to the post of Joint Director on par with his junior from the panel year 2011-12 and Additional Director form 2017-18, is not sustainable, since the charges and ACB Trap case are still pending, and (ii) to consider to place his name at Serial No. 1, instead of Serial No. 8 in the seniority list of the JDs/RJDSEs, is also not sustainable and the same is overruled, as per rule position issued vide G.O.Ms.No. 257, GA (Ser.C) Dept., dt. 10.06.1999 as stated at para 6 (vii) above and hence, his name has been placed at Sl.No. 8 in the seniority list, by taking into consideration of the date of joining in the category of JD, and therefore, the representation dated:06.09.2021 and objection petition dated:21.10.2021 of Sri M. Ramalingam, JD, are thoroughly examined as per the rules in vogue and accordingly, his objection petition and representation are disposed off.

8. Accordingly, Government after careful examination of the provisional seniority list of Joint Director/Regional Joint Director of School Education submitted by the Director of School Education, A.P, hereby confirm and approve the final seniority list of Joint Director/Regional Joint Director of School Education, is as annexed to this G.O.

9. The Director of School Education, A.P, shall communicate the same to all the individuals and take further necessary action accordingly, in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJSEKHAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of School Education, A.P., Ibrahimpatnam.
The individuals **through** the Director of School Education, A.P., Ibrahimpatnam.
Copy to
The Addl.P.S. to Minister(Education)
The P.S. to Prl.Secretary to Govt.(SE)

//FORWARDED::BY ORDER//

SECTION OFFICER

Annexure

(to G.O.Ms.No.72, School Education (Ser.I) Dept., dt. 05.11.2021)

Final Seniority list of Joint Director/Regional Joint Director of School Education.

Sl. No	Name of the Officer	Date of Birth/Date of Retirement	Post & Designation	Qualification	DOJ in the cadre of Joint Director	Community	Remarks
1	Sri R.Narasimha Rao	01.06.1971/ 31.05.2031	Secretary, KGBV (JDSE), O/o the SPD, SS, A.P	M.A., B.Ed	07.02.2017	OC	-
2	Sri B.Pratap Reddy	06.05.1972/ 31.05.2032	JD (EE), O/o the DSE, A.P	M.A., B.Ed	07.02.2017	OC	-
3	Dr K.V.Srinivasulu Reddy	20.03.1981/ 31.03.2041	JD (Trg.,),O/o the SPD, SS, A.P	M.A., M.Ed., Ph.D	07.02.2017	OC	-
4	Sri K.Nageswara Rao	01.05.1970/ 30.04.2030	JD(TET), O/o the DSE, A.P	M.Com, B.Ed	12.05.2017	BC	-
5	Sri D.Madhusudhana Rao	10.07.1974/ 31.07.2034	RJDSE, Kakinada	M.A., B.Ed	07.02.2017	SC	-
6	Sri K.Ravindranath Reddy	10.12.1970/ 31.12.2030	JD (APMS), O/o the DSE, A.P.	M.A., B.Ed	07.02.2017	OC	-
7	Sri M.V.Krishna Reddy	04.02.1976/ 28.02.2036	RJDSE, Kadapa	M.A., B.Ed	07.02.2017	OC	-

(PTO)

8	Sri M.Ramalingam	01.04.1966/ 31.03.2026	JD(VE), O/o the DSE, A.P	M.A., B.Ed	01.07.2021	BC	Government have promoted the individual vide G.O.Rt.No.152, SE (Ser.I) Dept., Dt:30.06.2021 on **adhoc basis** subject to outcome of C.C.No.11/2014 pending before SPE & ACB cases, in terms of G.O.Ms.No.257, GA (Ser.C) Dept., Dated:10.06.1999
9	Smt G.Nagamani	30.07.1978/ 31.07.2038	Joint Director (Admin),APSERMC, O/o the DSE, A.P	M.A., B.Ed	02.09.2021	ST	Not completed minimum service in the present cadre
10	Smt N.Geetha	01.04.1964/ 31.03.2024	Principal, SGS., IASE, Rajahmundry	B.Com, B.Ed	01.09.2021	SC	Not completed minimum service in the present cadre
11	Smt M.Jyothi Kumari	01.05.1963/ 30.04.2023	RJDSE, Visakhapatnam.	M.A., B.Ed	01.09.2021	OC	Not completed minimum service in the present cadre
12	Sri B.Viaya Bhaskar	05.03.1974/ 31.03.2034	Joint Director posted as DEO, Prakasam	M.A., B.Ed	08.09.2021	SC	Not completed minimum service in the present cadre
13	Sri V.S.Subba Rao	15.04.1972/ 30.04.2032	RJDSE, Guntur	M.A., M.Ed	02.09.2021	BC	Not completed minimum service in the present cadre
14	Dr. V.M.Mary Chandrika	24.05.1962/ 31.05.2022	Joint Secretary, KGBV, O/o the SPD, SS, A.P	M.A., M.Ed Ph.D	02.09.2021	OC	Not completed minimum service in the present cadre

B. RAJSEKHAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER